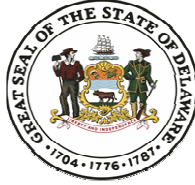


JOSEPH R. BIDEN, III
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DEPARTMENT OF JUSTICE

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PLEASE REPLY TO:

June 13, 2007

New Castle County-Civil Division

The Honorable Mary Pat Thyng
U.S. District Court
District of Delaware
844 King Street
Wilmington, Delaware 19801

Re: *Green v. Young Correctional, 04-27*
Green v. Charies, 05-549

Dear Judge Thyng:

I am writing to update the Court with the status of the proposed scheduling orders for the above-captioned cases after brief discussion with Ms. Monzo, counsel for FCM in case 04-27.

Pursuant to the agreement reached by all parties during the status conference on April 26, 2007, counsel conferred and prepared a proposed scheduling order for both of the above-captioned cases. As agreed, the orders contained identical dates, the only difference being the captions. The proposed scheduling order is attached.

On May 11, 2007, Ms. Monzo mailed to plaintiff a copy of the proposed scheduling order with her case-caption (04-27) on it and informed the plaintiff that the dates for both cases would be identical. She also requested that he respond and indicate whether he accepted the dates. It was initially mistakenly mailed to the plaintiff at the prison and was returned. It was then resent to the address listed on the docket. Ms. Monzo informs me that, to date, no response has been received by the plaintiff.

I believe there was some miscommunication between myself and Ms. Monzo. I thought that scheduling orders with both captions had been sent by Ms. Monzo. I just recently learned that this was not the case. Given my previous error, I have mailed to plaintiff today a copy of the scheduling order with the caption for my case on it (05-549). I have also requested he contact me as soon as possible to notify me if he is in agreement. Regardless, Mr. Green was notified by Ms. Monzo that the dates would be identical for both cases.

I remain available at the Court's convenience should anything further be required.

Respectfully submitted,

/s/ Stacey Xarhoulakos

Stacey Xarhoulakos
Deputy Attorney General

cc: Dana Spring Monzo (via Pacer)
Daniel Green, (via First Class Mail)
Enclosure